

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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SHIQIANG GAO,	:	
Plaintiff,	:	
	:	18-CV-6442 (GBD)
-against-	:	
	:	<u>ORDER</u>
A CANAAN SUSHI INC., et al.,	:	
Defendants.	:	
	:	
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ONA T. WANG, United States Magistrate Judge:

The Court is in receipt of Plaintiff's letter motion to compel Defendants to produce further contact information of delivery and wait staff workers and, in the alternative, "a publication of an abbreviated notice via social media, and up to then (10) social media sites of Plaintiff's Choosing, or alternatively, a newspaper publication of the notice at the Defendants' Expenses [sic]." (ECF 41). Defendants state that they have provided all information in their possession. (ECF 47). Plaintiff's applications are **DENIED as futile**.

A. Request for Additional Contact Information

Defendants repeatedly stated that they have produced all contact information in their possession. (ECF 44, 47). Additionally, Defendants note that a third-party "is responsible for record keeping," and they have furnished the "name and identity of that individual who may have possible additional information to plaintiff's counsel, who also acknowledged receipt of the information." (ECF 47). Plaintiff has not represented to the Court that he has made any attempts to contact the third-party. Ordering Defendants to produce contact information not in their possession is futile and, therefore, Plaintiff's application is denied.

B. Additional Notice

Plaintiff's request for Defendants to publish notice on up to ten social media sites or newspapers is denied as premature. Plaintiff can contact the aforementioned third-party for additional employee information.

The Clerk of Court is directed to close ECF 41.

SO ORDERED.

Dated: April 22, 2020
New York, New York

s/ Ona T. Wang

Ona T. Wang
United States Magistrate Judge